IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: *Knight, Timothy O.*)	Art Unit: *unknown*
)	
Serial No.: *unknown*)	Examiner: *unknown*
)	
Filed: 8/31/01 as a *divisional of serial no.*)	
09/173,853 filed 10/16/98)	
)	
For: *Interface and Method Adapted for*)	
Capturing Subjective Preferences of Program)	
Users	

PRELIMINARY AMENDMENT

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant hereby submits the following to place the present application in a condition for allowance:

IN THE SPECIFICATION:

(a)   Please amend the title of the invention to read:

- - **Interface and Method Adapted for Capturing Subjective Preferences of Program Users** - -

(b)   Please cancel Appendix A, pp. 21 – 64.

(c)   Please add the following text at page 1, line 5:

-- <u>CROSS REFERENCE TO RELATED APPLICATIONS</u>

The present application is a divisional of serial no. 09/173,853 filed October 16, 1998 entitled *Graphical Data Collection Interface*, which is hereby incorporated by reference. --

(d)   Please insert the following text at the beginning of the specification, just after the CROSS REFERENCE TO RELATED APPLICATIONS:

-- <u>CROSS REFERENCE TO MICROFICHE APPENDIX</u>

Appendix A, which forms part of this disclosure and is incorporated by reference herein, is a microfiche appendix consisting of 1 sheet of microfiche having a total of 46 frames.   This sheet of microfiche was submitted previously in connection with related application serial no. 09/173,853. Microfiche Appendix A is a list of computer programs and related data in an embodiment of the present invention, which is described more completely below. --

<u>IN THE ABSTRACT</u>:

Please replace the text in the present Abstract with the following text set forth on the next page:

-- <u>ABSTRACT</u>

Data is collected and retrieved in the form of a data picture using an interface that has a portion for presenting a data palette and another portion for presenting a data canvas. The data picture is created by a user selecting one or more data parameters from the data menu of the user's choice, and arranging such on the data canvas. The data parameters can relate to perceptions, impressions, rationales, motivations, etc., so that subjective user preferences can be easily captured in a user-friendly fashion. Moreover, the data parameters can be arranged in different graphical arrangements and rankings to enhance capturing of the user's preferences. In this manner, a user can effectively express input data in a visual depiction or picture form concerning a particular action/transaction, without having to respond to lengthy questionnaires, forms and screens requiring numerical input, etc. The resulting data pictures can be retrieved, analyzed, modified, or used to locate other information of interest to the user. Feedback concerning such visual depictions and data pictures can also be provided within the interface. --

<u>IN THE CLAIMS</u>:

Please cancel claims 1 – 41 and 53 - 90 without waiver or prejudice to pursue these claims in a separate application. Please substitute the following as a replacement for pending claims 42 - 52 and 91 - 120:

42. (Amended) An electronic interface for collecting information for a data picture, the interface comprising:

a data palette providing a set of data parameters available for selection, said set of data parameters including at least some in text form corresponding to predefined statements concerning an action and/or a transaction; and

a data canvas, separate from said data palette, on which a selected set of one or more of said set of data parameters can be displayed and arranged arbitrarily by a user to generate the data picture; and

wherein the data picture can be based on a graphical arrangement of a selected group of said predefined statements collected from the user and pertaining to the user's perceptions concerning said action and/or said transaction.

43. (Amended) The interface of claim 42, wherein said selected set of data parameters are selected and moved by such user to a gradient on said data canvas by physically manipulating an electronic pointing device.

44. (Amended) The interface of claim 42, wherein the data picture is generated using a single data capture screen including said data palette and said data canvas.

45. (Amended) The interface of claim 42, wherein the data picture is translatable into one or more electronic records including numeric data values, but said data picture is generated without numeric data input by the user.

46. (Amended) The interface of claim 45, wherein said numeric data values are based on the physical location of said selected set of data parameters as placed by the user on said data canvas.

47. (Amended) The interface of claim 42, wherein said selected set of data parameters, including individual ones of said selected group of predefined statements can be ranked in relative importance by the user based on their location on said data canvas.

48. (Original) The interface of claim 47, further wherein said data canvas conveys visible feedback information when the user is arranging said selected set of data parameters.

49. (Amended) The interface of claim 42, wherein said set of data parameters include factors associated with lessons learned by a user concerning such action and/or transaction.

50. (Original) The interface of claim 42, wherein said interface also provides a visual comparison between data in said data picture and other data pictures.

51. (Amended) The interface of claim 42, wherein said interface also provides visual feedback to such operator based on an evaluation of said data in the data picture.

52. (Amended) The interface of claim 42, wherein said set of parameters can be customized by the user.

91. (Amended) A method of generating a data picture using a computer program, the method comprising the steps of:

  providing a data palette, said palette including a set of data parameters available for selection by a user of the program, such that said set of data parameters includes at least some in text form corresponding to predefined statements concerning an action and/or a transaction; and

  providing a data canvas, separate from said data palette, on which selected data parameters can be displayed and arranged arbitrarily by said user to generate the data picture; and

  wherein the data picture can be based on a graphical arrangement of a selected group of said predefined statements collected from said user and pertaining to the user's mental impressions concerning said action and/or said transaction.

92. (Amended) The method of claim 91, wherein all information collected from said user is captured using a single data picture.

93. (Amended) The method of claim 91, wherein all information for the data picture is captured during a data collection session using a single data collection screen.

94. (Amended) The method of claim 91, wherein the data picture is stored as part of a transaction record which includes numeric data values, but the data picture is generated without numeric data input by the user.

95. (Amended) The method of claim 91, wherein said numeric data values are based on the physical location of said selected data parameters as placed by the user on said data canvas.

96. (Amended) The method of claim 91, further including a step of permitting said user to rank said selected data parameters, including said selected group of said predefined statements, on said data canvas.

97. (Amended) The method of claim 91, wherein said selected data parameters can be ranked according to their physical arrangement on said data canvas.

98.   (Amended) The method of claim 91, further including a step of providing visual feedback based on an evaluation of the data picture to present the user with a visual output depicting an expected outcome of said action and/or said transaction based on the data picture.

99.   (Amended) A method of permitting a user to input a data picture expressing mental impressions concerning an action and/or transaction, the method comprising the steps of:

  providing a set of a plurality of individual assertions, said assertions being associated with such mental impressions; and

  displaying said set of assertions to the user in a first portion of a visible electronic interface; and

   permitting the user to select and move personalized individual assertions taken from said set of assertions to a second, separate portion of said visible interface, which second separate portion acts as a data canvas for displaying such personalized individual assertions; and

   wherein said personalized individual assertions can be arranged by the user to create the data picture.

100.   (Amended) The method of claim 99, wherein all information collected from said user for the action and/or transaction is captured using a single data picture.

101.   (Amended) The method of claim 99, wherein all information is captured for the action and/or transaction during a data collection session using a single data collection screen.

102.   (Amended) The method of claim 99, wherein numeric data values are assigned to said personalized individual assertions based on the physical location of said personalized individual assertions as placed by the user on said data canvas.

103.   (Amended) The method of claim 99, further including a step of permitting said user to rank said personalized individual assertions on said data canvas.

104.   (Amended) The method of claim 103, wherein said personalized individual assertions can be ranked according to their physical arrangement on said data canvas.

105.   The method of claim 99, further including a step of providing visual feedback based on an evaluation of the data picture to present the user with a visual output depicting an expected outcome of said action and/or said transaction based on the data picture.

106.   (Amended) A method of capturing data concerning an actual or proposed transaction from a user of a computing system, said system including at least a keyboard and pointing device for inputting data, the method comprising the steps of:

    providing a set of a plurality of individual assertions, said assertions being associated with mental impressions of the user relating to the transaction; and

    displaying said set of assertions to the user in a first portion of a visible electronic interface; and

    permitting the user to select and move selected assertions taken from said set of assertions to a second, separate portion of said visible interface, which second separate portion acts to display such selected assertions along a visible gradient; and

    permitting the user to arrange said selected assertions in a ranking order relative to each other along said visible gradient to create a data picture;

    wherein the data is collected from said user substantially without input from the keyboard, and said data picture is calculated based only on those selected assertions from the user.

107. (Amended) The method of claim 106 further wherein all information collected from said user for the actual and/or proposed transaction is captured using said set of assertions.

108. (Amended) The method of claim 106 further wherein all of the user's information for the actual and/or proposed transaction is captured during a data collection session using a single data collection screen.

109. (Amended) The method of claim 106, wherein numeric data values are assigned to said selected assertions based on their physical location as placed by the user on said data canvas.

110. (Amended) The method of claim 106, further including a step of providing a visual comparison between the data picture and data collected from said user during a prior data capture session.

111. (Amended) A method of generating program data from user input data concerning an actual or proposed action and/or transaction, the method comprising the steps of:

   providing the user with a palette of individual assertions associated with the user's perceptions of such action and/or transaction; and

   permitting the user to select and move selected assertions taken from said set of assertions to a second, separate portion of said visible interface, which second separate portion acts to visibly display such selected assertions; and

   permitting the user to arrange said selected assertions in a ranking order relative to each other so as to constitute the user input data;

   converting the user input data into program data, by assigning numerical values to such program data corresponding to said arrangement of said selected assertions.

112.   (Amended) The method of claim 111, wherein said numeric data values are based on the physical location of said assertions as placed by the user on said second separate portion of said interface.

113.   (Amended) The method of claim 111, further including a step of providing a gradient visible to the user for assisting in the ranking of said selected assertions.

114.   (Amended) The method of claim 111, further including a step of providing visible feedback information when the user arranges said selected assertions.

115.   (Amended) The method of claim 111, wherein said palette of individual assertions include statements associated with lessons learned by a user concerning such action and/or transaction.

116.   (Amended) The method of claim 115, further including a step of retrieving and modifying any of said lessons associated with the user input data at a later time.

117.   (Amended) The method of claim 111 wherein said palette of individual assertions can be customized at least in part by the user.

118.   (Amended) The method of claim 111, further including a step of providing a visual comparison between the user input data and program data collected from said user during a prior session.

119.   (Amended) The method of claim 111, further including a step of providing visual feedback based on an evaluation of the user input data to present the user with a visual output depicting an expected outcome of said action and/or said transaction based on the user input data.

120.   (Amended) The method of claim 111 further wherein all of the user's information concerning an actual or proposed transaction is captured during a data collection session using a single data collection screen.

Please add new claims 121 – 145:

121. (New) A method of capturing input data from a user within an electronic interface comprising the steps of:

    (a) providing a menu within the interface for presenting a set of data parameters to the user; and

    (b) providing a canvas within the interface for creating a data record based on said set of data parameters; and

    (c) moving a selected data parameter from set of data parameters to said canvas; and

    (d) arranging said selected data parameter on said canvas so as to indicate a corresponding weighting factor to be associated with said selected data parameter; and

    (e) repeating steps (c) and (d) to capture the input data;
    wherein said data record is generated based on any selected data parameters and their associated weighting factors.

122. (New) The method of claim 121, wherein said data record is used as a query to locate additional information for the user.

123. (New) The method of claim 121, wherein said data record is compared against other data records and a visual analysis is presented to the user.

124. (New) The method of claim 121, wherein said weighting factor is based on a physical location within the interface provided by the user.

125. (New) The method of claim 124, wherein both a horizontal and vertical location are used to determine said weighting factor.

126. (New) A method of providing feedback to a user during a data input session, the method comprising the steps of:

    (a) collecting input data from the user using a data interface, said input data consisting of: i) one or more selected data parameters; ii) weighting information identifying a corresponding weighting factor to be given to each of said one or more selected data parameters; and

    (b) providing feedback information dynamically to the user while the user is providing said input data, said feedback information being based on said input data such that the user can monitor the effect of changing said one or more selected data parameters and/or their associated weighting factors.

127. (New) The method of claim 126, wherein said feedback information includes: (a) a set of data records correlating with said input data; (b) a list of proposed options based on said input data; (c) changes in an appearance of said data interface; and/or (d) a prediction of expected financial return based on input data; (e) a financial performance associated with transactions using said input data.

128. (New) The method of claim 126, wherein said data input session is conducted using a Java ™ applet operating within an Internet browser.

129. (New) The method of claim 126, wherein said data parameters correspond to reasons, motivations or perceptions concerning a transaction and/or action by the user.

130. (New) The method of claim 126, wherein said weighting factor is based on a relative placement of said selected data parameter within the interface.

131. (New) A method of evaluating data records associated with an action and/or transaction, the method comprising the steps of:

(a) storing one or more data records, each of said data records including:

i) a set of data parameters identified by a user as pertaining to the action and/or transaction;

ii) a weighting factor to be given to each data parameter in said set of data parameters;

(b) processing a query by the user, said query requesting an evaluation of a frequency of usage for a data parameter, and/or an evaluation of an rating given to a weighting factor associated with said data parameter, across said data records or a subset thereof; and

(c) providing feedback to the user in response to said query.

132. (New) The method of claim 131, wherein said feedback includes a chart and/or graph.

133. (New) The method of claim 132, wherein said feedback includes a proposed model set of data records and weighting factors.

134. (New) The method of claim 131, wherein said feedback includes a prediction associated with using said one or more of data records.

135. (New) The method of claim 131, wherein said feedback includes a financial performance associated with using said one or more data records.

136. (New) A method of creating a data record based on input data from a user provided within an interface, the method comprising the steps of:

    (a) generating a first data picture at a first time within the interface, said first data picture including a first set of data parameters and associated weighting factors for each data parameter in said first set of data parameters; and

        wherein said first data picture is created before the user performs an action and/or transaction associated with said first set of data parameters;

    (b) generating a second data picture at a second time within the interface, said second data picture including a second set of data parameters and associated weighting factors for each data parameter in said second set of data parameters; and

        wherein said second data picture is created after the user performs said action and/or said transaction;

    (c) modifying said second data picture at a third time within the interface using said second set of data parameters; and

        wherein both said first data picture and said second picture are used to create said data record.

137. (New) The method of claim 136, wherein said first data picture is not alterable after it is created.

138. (New) The method of claim 136, wherein said action and/or transaction pertains to trading a security, and said first data picture is associated with a purchase of said security, and said second data picture is associated with a sale of said security.

139. (New) The method of claim 138, further including a step (d): providing feedback to the user to indicate a financial performance associated with said trading of said security.

140. (New) The method of claim 138, wherein said first set of data parameters pertain to a motivation and/or reason of the user engaging in said action and/or transaction, and said second set of data parameters pertain to a lesson learned by the user from engaging in said action and/or transaction.

141. (New) A data picture record derived from data input in the form of a graphical arrangement by a user, the data picture record comprising:

an identifier indicating a particular action and/or transaction identified by the user as related to the data input;

an identity of a data parameter selected by the user to express the data input and used in the graphical arrangement for the particular action and/or transaction; and

a weighting factor associated with said data parameter, said weighting factor being derived from a relative placement of said data parameter within the graphical arrangement.

142. (New) The data picture of claim 141, wherein a collection of data picture records are grouped for said action and/or transaction.

143. (New) The data picture of claim 142, wherein said collection data picture records include data picture records created before said action and/or transaction, and data picture records created after said action and/or transaction.

144. (New) The data picture of claim 141, wherein said weighting factor is based on a physical coordinate location within a data canvas.

145. (New) The data picture of claim 144, wherein both a horizontal position and vertical position are considered in determining said weighting factor.

REMARKS (37 CFR 1.111)

Original claims 42 – 52, 91 - 120 and new claims 121 – 145 are pending. The title of the invention has been changed to better describe the present subject matter, and a specific cross-reference to the related applications and microfiche appendix has been inserted as well.

The pending claims are presented in the present application as a result of a restriction requirement issued by the Examiner on December 14, 1999 in the grand parent application serial no. 09/173,853, and are directed to the species identified as Group III therein.

The claims are believed to be allowable for at least the following reasons:

(1) <u>Original independent claim 42</u> has been amended to recite that:

> "... said set of data parameters including at least some in text form corresponding to predefined statements concerning an action and/or a transaction..." and that
>
> "...the data picture can be based on a graphical arrangement of a selected group of said predefined statements collected from the user ....;"

This feature is not taught or suggested in the art, so the Applicant submits that the claim and its dependent claims should be allowable. Some of the dependent claims were amended to correct for minor reference errors, and/or to conform them to the revised language of claim 42.

(2) <u>Original independent claim 91</u> is also similarly amended so this claim and its dependent claims (91 – 98) are believed to be allowable at this time.

(3) <u>Original independent claim 99</u> was amended to correct a typographical mistake, but has not been otherwise amended in any substantive manner because it is directed to another aspect of the invention concerning the use of "personalized individual assertions" to create a "data picture" and as such is believed to already adequately distinguish over the prior art at this time,

because it allows for the collection of a user's mental impressions, and such is not taught or suggested. Thus this claim and its dependent claims are believed to be allowable at this time.

(4) <u>Original idependent claim 106</u> is directed to another aspect of the invention, namely the use of "visible gradient" that allows a user to arrange "selected assertions in a ranking order relative to each other...to create a data picture. Again, the prior art does not disclose the capturing of this type of information, let alone using this type of visible gradient. Claim 106 further emphasizes that the data picture is created "... substantially without input from the keyboard..." and this serves as an additional differentiator over prior art techniques.

(5) <u>Original independent claim 111</u> covers but does not require the specific use of a data picture, but it should be allowable because the claim specifies that the user can:

"... arrange said selected assertions in a ranking order relative to each other so as to constitute the user input data"
and a further step of:
"...converting the user input data into program data, by assigning numerical values to such program data corresponding to said arrangement of said selected assertions."

Thus, the "arrangement" of the selected assertions is used as the input, and this is again quite different from any prior art approach.

(6) <u>New independent claim 121</u> is directed to more specifically to methods concerning how data is captured from a user in embodiments covered by the present invention. The claim, and its dependent claims (122 - 125) are believed to distinguish over the prior art for a number of reasons, and

Applicants believe such will be apparent to the Examiner after a careful inspection.

(7) <u>New independent claim 126</u> is directed to more specifically to another aspect of the invention, namely, methods for <u>dynamically</u> giving feedback concerning data input within an interface while the input is being created by the user. For example, in a stock trading application, the user can "learn" from provided feedback whether their proposed strategy (as expressed by the data input) for purchasing a stock is likely to be successful, or if it matches the strategy used by them or others in the past, etc. Other environments can also benefit from this aspect of the invention, as the user can be essentially assisted in visually creating a model or ideal set of input data. Thus, similar variations of this feature of the invention are discussed at length in the specification at pp. 17 – 20 and with reference to Fig. 2. Thus, this claim (and its dependent claims 127 – 130) distinguishes over the prior art.

(8) <u>New independent claim 131</u> is directed to more specifically to another aspect of the invention, namely, methods for retrieving data and/or performing analyses of prior data pictures and presenting the same to the user for him/her to learn from. For example, a user could request prior data records that use a certain set or arrangement of assertions concerning a purchase of an item, or an analysis of which assertions resulted in the highest financial performance concerning a particular stock. *See, e.g.*, pp. 17 – 20 of the specification. Other environments may use this input as a query to retrieve information responsive to the user. This feature of the invention is discussed at length in the specification at pp. 17 – 20 and with reference to Fig. 2. Thus, this claim (and its dependent claims 132 – 135) distinguishes over the prior art.
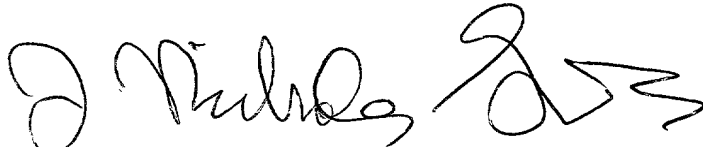
(9) New independent claim 136 is directed to more specifically to another aspect of the invention, namely, methods for retrieving prior data pictures and modifying them to include later information concerning the action/transaction. For example, in a stock trading application, a user could request prior data records and update them with any additional annotations concerning "lessons" learned by the user from the particular experience. *See, e.g.*, pp. 17 – 20 of the specification. This feature of the invention is discussed at length in the specification at pp. 17 – 20 and with reference to Fig. 2. Thus, this claim (and its dependent claims 137 – 140) distinguishes over the prior art.

(10) New independent claim 141 is directed to another aspect of the invention, namely, a format used by the data pictures described in the specification. Again this claim (and its dependent claims 142 – 145) is believed to be sufficiently distinctive so as to merit allowance at this time.

The claims are believed to be allowable over the art of record, and thus early allowance of the same is earnestly solicited.

Respectfully submitted,

Date: August 31, 2001

J. Nicholas Gross, Attorney, Reg. No. 34,175

1385 Mission St.
Suite 240
San Francisco, CA 94103
(415) 551-8298

VERSION WITH MARKINGS TO SHOW CHANGES MADE

42. (Amended) An electronic interface for collecting information for a data picture, the interface comprising:

a data palette providing a set of data parameters available for selection, <u>said set of data parameters including at least some in text form corresponding to predefined statements concerning an action and/or a transaction</u>; and

a data canvas, separate from said data palette, on which <u>a selected set of one or more of</u> said <u>set of</u> data parameters can be displayed and arranged arbitrarily by a user to generate the data picture; and

wherein [said] <u>the</u> data picture [embodies information] <u>can be based on a graphical arrangement of a selected group of said predefined statements</u> collected from the user and pertaining to the user's perceptions concerning [a particular] <u>said</u> action and/or <u>said</u> transaction.

43. (Amended) The interface of claim 42, wherein said <u>selected</u> set of data parameters are selected and moved by such user to a gradient on said data canvas by physically manipulating an electronic pointing device.

44. (Amended) The interface of claim 42, wherein [said] <u>the</u> data picture is generated using a single data capture screen including said data palette and said data canvas.

45. (Amended) The interface of claim 42, wherein [said] <u>the</u> data picture is translatable into one or more electronic records including numeric data values, but said data picture is generated without numeric data input by the user.

46. (Amended) The interface of claim 45, wherein said numeric data values are based on the physical location of said <u>selected set of</u> data parameters as placed by the user on said data canvas.

47. (Amended) The interface of claim 42, wherein said selected set of data parameters, including individual ones of said selected group of predefined statements can be ranked in relative importance by the user based on their location on said data canvas.

48. (Original) The interface of claim 47, further wherein said data canvas conveys visible feedback information when the user is arranging said selected set of data parameters.

49. (Amended) The interface of claim 42, wherein said set of data parameters include factors associated with lessons learned by a user concerning such action and/or transaction.

50. (Original) The interface of claim 42, wherein said interface also provides a visual comparison between data in said data picture and other data pictures.

51. (Amended) The interface of claim 42, wherein said interface also provides visual feedback to such operator based on an evaluation of said data in [said transaction record] the data picture.

52. (Amended) The interface of claim 42, wherein said set of parameters can be customized by the user.

91.   (Amended) A method of generating a data picture using a computer program, the method comprising the steps of:

   providing a data palette, said palette including a set of data parameters available for selection by a user of the program, such that said set of data parameters includes at least some in text form corresponding to predefined statements concerning an action and/or a transaction; and

   providing a data canvas, separate from said data palette, on which selected [said] data parameters can be displayed and arranged arbitrarily by said user to generate the data picture; and

   wherein [said] the data picture can be based on a graphical arrangement of a selected group of said predefined statements [embodies information] collected from said user and pertaining to the user's mental impressions concerning [a] said [particular] action and/or said transaction.

92.   (Amended) The method of claim 91, wherein all [of the] information collected from said user is captured using a single data picture.

93.   (Amended) The method of claim 91, wherein all [of the user's] information for the data picture is captured during a data collection session using a single data collection screen.

94.   (Amended) The method of claim 91, wherein [said] the data picture is stored as part of a transaction record which includes numeric data values, but [said] the data picture is generated without numeric data input by the user.

95.   (Amended) The method of claim 91, wherein said numeric data values are based on the physical location of said selected data parameters as placed by the user on said data canvas.

96.   (Amended) The method of claim 91, further including a step of permitting said user to rank said selected data parameters, including said selected group of said predefined statements, on said data canvas.

97.   (Amended) The method of claim 91, wherein said selected data parameters can be ranked according to their physical arrangement on said data canvas.

98.   (Amended) The method of claim 91, further including a step of providing visual feedback based on an evaluation of [said data input] <u>the data picture to present the user with a visual output depicting an expected outcome of said action and/or said transaction based on the data picture.</u>

99. (Amended) A method of permitting a user to input a data picture expressing mental impressions concerning an action and/or transaction, the method comprising the steps of:

providing a set of a plurality of individual assertions, said assertions being associated with such mental impressions; and

displaying said set of assertions to the user in a first portion of a visible electronic interface; and

permitting the user to select and move personalized individual assertions taken from said set of assertions to a second, separate portion of said visible interface, which second separate portion acts as a data canvas for displaying such personalized individual assertions; and

wherein said personalized individual assertions can be arranged by the user to create the data picture.

100. (Amended) The method of claim 99, wherein all [of the] information collected from said user for the action and/or transaction is captured using a single data picture.

101. (Amended) The method of claim 99, wherein all [of the user's] information is captured for the action and/or transaction during a data collection session using a single data collection screen.

102. (Amended) The method of claim 99, wherein numeric data values are assigned to said [data parameters] personalized individual assertions based on the physical location of said [data parameters] personalized individual assertions as placed by the user on said data canvas.

103. (Amended) The method of claim 99, further including a step of permitting said user to rank said [data parameters] personalized individual assertions on said data canvas.

104. (Amended) The method of claim 103, wherein said [data parameters] personalized individual assertions can be ranked according to their physical arrangement on said data canvas.

105.   The method of claim 99, further including a step of providing visual feedback based on an evaluation of [said data input] the data picture to present the user with a visual output depicting an expected outcome of said action and/or said transaction based on the data picture.

106.   (Amended) A method of capturing data concerning an actual or proposed transaction from a user of a computing system, said system including at least a keyboard and pointing device for inputting data, the method comprising the steps of:

    providing a set of a plurality of individual assertions, said assertions being associated with mental impressions of the user relating to the transaction; and

    displaying said set of assertions to the user in a first portion of a visible electronic interface; and

    permitting the user to select and move selected [individual ones of said] assertions taken from said set of assertions to a second, separate portion of said visible interface, which second separate portion acts to [visibly] display such selected [individual] assertions along a visible gradient; and

    permitting the user to arrange said selected [individual] assertions in a ranking order relative to each other along said visible gradient to create a data picture;

    wherein [said] the data is collected from said user substantially without input from the keyboard, and said data picture is calculated based only on those selected [individual] assertions from the user.

107.   (Amended) The method of claim 106 further wherein all [of the] information collected from said user for the actual and/or proposed transaction is captured using said set of assertions.

108.   (Amended) The method of claim 106 further wherein all of the user's information for the actual and/or proposed transaction is captured during a data collection session using a single data collection screen.

109.   (Amended) The method of claim 106, wherein numeric data values are assigned to said selected [individual] assertions based on their physical location as placed by the user on said data canvas.

110.   (Amended) The method of claim 106, further including a step of providing a visual comparison between [said] the data picture and data collected from said user during a prior data capture session.

111.   (Amended) A method of generating program data from user input data concerning an actual or proposed action and/or transaction, the method comprising the steps of:
   providing the user with a palette of individual [data parameters] assertions associated with the user's perceptions of such action and/or transaction; and

   permitting the user to select and move selected [individual ones of said] assertions taken from said set of assertions to a second, separate portion of said visible interface, which second separate portion acts to visibly display such selected [individual] assertions; and

   permitting the user to arrange said selected [individual] assertions in a ranking order relative to each other so as to constitute the user input data;

   converting [said] the user input data into program data, by assigning numerical values to such program data corresponding to said arrangement of said selected [individual] assertions.

112.   (Amended) The method of claim 111, wherein said numeric data values are based on the physical location of said [individual] assertions as placed by the user on said second separate portion of said interface.

113.   (Amended) The method of claim 111, further including a step of providing a gradient visible to the user for assisting in the ranking of said [individual] selected assertions.

114.   (Amended) The method of claim 111, further including a step of providing visible feedback information when the user arranges said [individual] selected assertions.

115.   (Amended) The method of claim 111, wherein said palette of individual assertions include statements associated with lessons learned by a user concerning such action and/or transaction.

116.   (Amended) The method of claim [116] 115, further including a step of retrieving and modifying any of said lessons associated with the user input data at a later time.

117.   (Amended) The method of claim 111 wherein said palette of individual assertions can be customized at least in part by the user.

118.   (Amended) The method of claim 111, further including a step of providing a visual comparison between [said] the user input data and program data collected from said user during a prior session.

119.   (Amended) The method of claim 111, further including a step of providing visual feedback based on an evaluation of [said program data] the user input data to present the user with a visual output depicting an expected outcome of said action and/or said transaction based on the user input data.

120.   (Amended) The method of claim 111 further wherein all of the user's information concerning an actual or proposed transaction is captured during a data collection session using a single data collection screen.